

requests under 49 CFR 1152.29³ must be filed by October 30, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 9, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Charles M. Rosenberger, Senior Counsel, CSX Transportation, Inc., 500 Water Street, J150, Jacksonville, FL 32202.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by October 25, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA is available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: October 12, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 95-26165 Filed 10-19-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32781]

Gulf Coast Rail Service, Inc. d/b/a Orange Port Terminal Railway—Acquisition and Operation Exemption—Lines of Southern Pacific Transportation Company

Gulf Coast Rail Service, Inc. d/b/a Orange Port Terminal Railway (OPTR), a noncarrier, has filed a notice of exemption to acquire and operate approximately 1.834 miles of rail line owned by Southern Pacific Transportation Company, known as the Old City Lead Track at Orange, TX, consisting of the Front Street Lead from milepost 0.076+/- to milepost 1.17+/- and the Market Street Lead between milepost 0.0+/- to milepost 0.74+/- . The

proposed acquisition and operation transactions were expected to be consummated on or after September 29, 1995.

This proceeding is related to Finance Docket No. 32782, *Russell A. Peterson—Continuance in Control Exemption—Gulf Coast Rail Service, Inc. d/b/a Orange Port Terminal Railway*, wherein Russell A. Peterson has concurrently filed a notice of exemption to continue in control of OPTR when OPTR becomes a rail carrier upon consummation of the transaction described in this notice.

Any comments must be filed with the Commission and served on: Keith G. O'Brien, 1920 N Street, NW, Suite 420, Washington, DC 20036.

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: October 10, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 95-26163 Filed 10-19-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32782]

Russell A. Peterson—Continuance in Control Exemption—Gulf Coast Rail Service, Inc., d/b/a Orange Port Terminal Railway

Russell A. Peterson (Peterson) has filed a notice of exemption to continue in control of Gulf Coast Rail Service, Inc. d/b/a Orange Port Terminal Railway (OPTR), upon OPTR becoming a rail carrier.

OPTR has concurrently filed a notice of exemption in Finance Docket No. 32782, *Gulf Coast Rail Service, Inc., d/b/a Orange Port Terminal Railway*, to acquire and operate approximately 1.834 miles of line from Southern Pacific Transportation Company, known as the Old City Lead Track in Orange County, TX.

Peterson also controls through stock ownership, two nonconnecting class III rail carriers: Southwest Pennsylvania Railroad Company and Camp Chase Industrial Railroad Corporation. Peterson indicates that: the properties operated by these carriers do not connect with each other; (2) the continuance in control is not a part of a series of anticipated transactions that would connect the railroads with each

other or any other railroad in their corporate family; and (3) the transaction does not involve a class I carrier. The transaction therefore is exempt from the prior approval requirements of 49 U.S.C. 11343. See 49 CFR 1180.2(d)(2).

As a condition to use of this exemption, any employees affected by the transaction will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Pleadings must be filed with the Commission and served on: Keith G. O'Brien, 1920 N Street, NW, Suite 420, Washington DC 20036.

Decided: October 10, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 95-26164 Filed 10-19-95; 8:45 am]

BILLING CODE 7035-01-P

DEPARTMENT OF JUSTICE

Notice of Lodging of De Minimis Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act and the Resource Conservation and Recovery Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed Supplemental Early *De Minimis* Consent Decree in *United States and State of Connecticut v. Able Marine, Inc., et al.*, Civil Action Nos. 3:95 CV 2107 and 3:95 2108 was lodged on September 29, 1995 with the United States District Court for the District of Connecticut. The complaint in this action seeks (1) to recover, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, response costs incurred and to be incurred by EPA at the Solvents Recovery Service of New England, Inc. Superfund Site located in the Town of Southington, Connecticut ("Site"); and (2) injunctive relief under section 106 of CERCLA, 42 U.S.C. 9606, and section 7003 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 9673.

The proposed Supplemental Early *De Minimis* Consent Decree embodies an agreement with 46 potentially responsible parties ("PRPs") at the Site pursuant to section 122(g) of CERCLA, 42 U.S.C. 9622(g) to reimburse EPA and

³ The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.

the State of Connecticut for a portion of their past and future response costs at the Site. Of the \$503,325 generated by the settlement, \$100,665 will be used for the partial funding of a non-time-critical removal action ("NTCRA") being performed at the Site by the larger-volume generator PRPs and the remaining \$402,660 will be set aside for the funding of future remedial actions at the Site. The NTCRA comprises, *inter alia*, the installation and operation of a groundwater containment system designed to prevent further migration from the Site of contaminated groundwater. The Supplemental Early *De Minimis* Consent Decree also provides the settling defendants with a release for civil liability for EPA's and the State's past and future CERCLA response costs and natural resource damages at the Site for resources under the trusteeship of the Secretary of the Interior and the Secretary of Commerce, through the National Oceanic and Atmospheric Administration.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed Early *De Minimis* Consent Decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, PO Box 7611, Ben Franklin Station, Washington, DC 20044, and should refer to *United States and State of Connecticut v. Able Marine, Inc., et al.*, DOJ Ref. No. 90-7-1-23E. In addition, pursuant to section 7003(d) of RCRA, 42 U.S.C. 6973(d), any member of the public who desires a public meeting in the area affected by the proposed consent decree in order to discuss the proposed consent decree prior to its final entry by the court may request that such a meeting be held. Any such request for a public meeting should be submitted within fifteen (15) days from the date of this publication and sent to the same address and bear the same reference as indicated above for submission of comments.

The proposed consent decree may be examined at the Office of the United States Attorney, 157 Church Street, 23rd Floor, New Haven, Connecticut 06510; the Region I Office of the Environmental Protection Agency, Region I Records Center, 90 Canal Street, First Floor, Boston, MA 02203; and at the Consent Decree Library, 1120 G Street, NW., Fourth Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, Fourth Floor, NW., Washington, DC 20005. In requesting a copy, please refer to the

referenced case and enclose a check in the amount of \$26.25 (25 cents per page reproduction costs), payable to the Consent Decree Library. If you wish to receive a copy without the settlers' signature pages, please so indicate, and enclose a check in the amount of \$13.75 payable to the Consent Decree Library.

Bruce S. Gelber,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95-26025 Filed 10-20-95; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9622(i)

Notice is hereby given that a proposed consent decree in *United States v. Amtel, Inc., et al.*, Civil Action No. 91-CV-10366-BC, was lodged on October 6, 1995 with the United States District Court for the Eastern District of Michigan, Northern Division. The Proposed Consent Decree resolves the United State's claims against Amtel, Inc., for unreimbursed past costs incurred in connection with the Hedblum Superfund Site located in Oscoda, Michigan.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. Amtel, Inc., et al.*, DOJ Ref. #90-11-2-475.

The proposed consent decree may be examined at the office of the United States Attorney, 1000 Washington Street, 203 Federal Building, Bay City, Michigan 48707; the Region 5 Office of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$6.00 (25 cents per page

reproduction costs), payable to the Consent Decree Library.

Bruce S. Gelber,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95-26024 Filed 10-19-95; 8:45 am]

BILLING CODE 4410-01-M

Notice of Lodging of Consent Decree Pursuant to the Clean Air Act

Consistent with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Chevron U.S.A., Inc., et al.*, Civil Action No. 95-4737(WGB), was lodged on September 18th, 1995 with the United States District Court for the District of New Jersey. Defendant Chevron U.S.A., Inc. is the owner and operator of an oil refinery in Perth Amboy, New Jersey. Defendants PJS Construction Company, Inc., Mayer Pollock Steel Corporation, and Falcon Associates, Inc. are a mechanical construction contractor, a demolition contractor, and asbestos removal contractor, respectively. In removing asbestos-containing material from the Chevron oil refinery, defendants violated the Asbestos NESHAP regulations under the Clean Air Act.

Under the terms of the proposed decree, defendants will pay the United States a civil penalty in the sum of \$155,000. Chevron U.S.A., Inc. further agrees to remain in compliance with the Clean Air Act.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Chevron U.S.A., Inc. et al.*, D.J. reference #90-5-2-1-1738.

The proposed consent decree may be examined at the Office of the United States Attorney for the District of New Jersey, 970 Broad Street, Room 501, Newark, New Jersey; the Region II Office of the Environmental Protection Agency, 290 Broadway Avenue, New York, New York; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, D.C., 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW 4th Floor, Washington, DC. In requesting a copy, please enclose a check in the amount of \$2.75 (25 cents per page